

The earmark train is starting to move down the tracks, and most Republicans are on board, with talk of a moratorium all but officially dead.

The house Appropriations Committee started moving bills this week on bipartisan voice votes, with Chairman David Obey (D-Wis.) saying Wednesday that he hopes to move as many bills as possible through the House by the August recess. At committee markups, lists were released of hundreds of Member earmarks — and press releases taking credit for them started flowing.

Having failed to persuade the House Republican Conference to accept a unilateral earmark moratorium, conservative Republicans are readying other tactics, including launching hundreds of amendments aimed at earmarks when bills hit the House floor. That threat has some Democrats warning they could take the nearly unprecedented step of closing rules on appropriations bills.

“If the Republican leadership can’t control them then there will have to be closed rules,” said Rep. Jim Moran (D-Va.), an earmark-defending appropriator. Moran said Democrats have the ability to prevent “a handful of right-wing nuts” from engaging in filibuster-by-amendment.

“They are a minority of a minority,” Moran said.

Republican appropriators also said they considered the proposal by Republican Study Committee Chairman Jeb Hensarling (Texas) for a unilateral GOP moratorium to be a settled issue, despite the fact that Hensarling is still mulling whether to force a Conference-wide vote on the issue.

“To me the RSC idea is over,” Rep. Mike Simpson (R-Idaho) said. “We took a whip count in conference, and it was overwhelmingly no.”

“I think the RSC has taken that issue as far as it can go at this point,” Rep. Jack Kingston (R-Ga.) said. Kingston co-authored an earmark moratorium bill that was contingent on Democrats agreeing to a bipartisan review of the rules.

Kingston, in the meantime, has continued to earmark — getting \$6 million for a local base in the military construction bill — and said the dozens of Republicans who have adopted personal moratoriums aren't saving any money because the money generally gets reallocated to other Republican earmarks.

Kingston said it's too late to ask Members to pull back on earmarking. "They've already put out press releases," he said.

Among conservatives, Reps. Jeff Flake (R-Ariz.) and John Campbell (R-Calif.) and a few others said they are planning wave after wave of earmark amendments on the floor against both Republican and Democratic earmarks.

"It will showcase to the American people that this process that they so despise is alive and well and prospering," Campbell said.

Both said they are much less likely to yield to requests to pull amendments or waive roll-call votes and are predicting very late nights.

Campbell said that if Democrats follow through on threats to close rules in response, that's up to them.

"If they want to further close this process to protect their pork, that's their call," he said.

Flake holds out little hope that Republicans could revive an earmark moratorium now that Members are starting to take credit for them.

"Once the press releases are out, it's tough to step back," he said.

But he said that he intends to take advantage of open rules and that he doubted Democrats would risk the political hit of closing them given the blowback to last year's aborted proposal to airdrop earmarks into conference reports.

"I doubt they want to go down that road again," Flake said.

A Democratic aide said Democrats would initially put bills on the floor under open rules but would have to see how Republicans act.

Hensarling acknowledged that he doesn't yet have the support for a unilateral moratorium but refused to say whether he would try to force a vote in the GOP Conference.

Some GOP leaders have openly criticized the idea of a unilateral moratorium, including Minority Whip Roy Blunt (R-Mo.), but Hensarling praised Minority Leader John Boehner (R-Ohio) for his personal opposition to earmarks and the Conference for backing a bipartisan earmark moratorium.

"That's huge," he said. The problem is that polling data show the public isn't giving the GOP any credit, he said.